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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/515,746	02/29/2000	Dennis Albert Doidge	RAL97-0043US2	1341

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EXAMINER

HO, DUC CHI

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 05/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

ST

Office Action Summary

Application No.

09/515,746

Applicant(s)

DOIDGE ET AL.

Examiner

Duc C Ho

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3 and 22-33 is/are pending in the application.
- 4a) Of the above claim(s) 23 and 26-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22,24 and 25 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 22, 24-25, drawn to bridge between networks, classified in class 370, subclass 401.
 - II. Claim 23, drawn to sorting and merging networks, classified in class 370, subclass 411.
 - III. Claim 26, drawn to converting between protocols, classified in class 370, subclass 466.
 - IV. Claim 27-33, drawn to Emulated LAN, classified in class 370, subclass 395.53.
2. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each of the invention of the group I, II, III, and IV can be used in a system for hardware forwarding of LAN frames Over ATM networks that does not necessarily utilize the features of the inventions of the other group. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purpose as indicated is proper.

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4. During a telephone conversation with Daniel E. McConnell (P:919-543-1105) on May - 07- 2003, a provisional election was made with traverse to prosecute the invention of the group I, claims 22, and 24-25.

5. Affirmation of this election must be made by applicant in replying to this Office action. Claims 23, and 26-33 are withdrawn from further consideration by the examiner, 37 FR 1.142(b), as being drawn to a non-elected invention.

DETAILED ACTION

Claim Objections

1. Claims 2-3 are objected because of the following informalities: Claims 2-3 both depends on a canceled claim- claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 22, 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishii et al. (US 5,323,392-in record), hereinafter referred to as Ishii.

Regarding claim 22, Ishii discloses adaptation device and method for efficient interconnected of data processing devices and networks. According to Ishii a HDLC frame, incoming from a first data processing device or network interface complying with a first layer 2 protocol of the HDLC type, and being connected to the adaptation device. Compatibility of the frame type with a second HDLC protocol is then checked: if there is no compatibility, the frame is either discarded or handled locally by the adaptation device. Otherwise, the frame is mapped onto said second HDLC protocol, column 3, lines 39-57

a format converter (adaptation device-fig. 10A) comprises only of hardware for bridging frames from a first frame format (LAPB frame) to a second frame format (LAPD frame), said bridging without requiring processor intervention (fig. 5 shows internal structure of adaptation device without a processor, column 2-line 67 to column 2-line 14).

Regarding claim 24, claim 24 has similar limitations as claim 22. Therefore, it is rejected under Ishii for the same reasons set forth in the rejection of claim 22.

Regarding claim 25, Ishii discloses conversion tables in fig. 5 of the adaptation device.

Conclusion

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chan et al.(US 5,027,343) is cited to show a method and apparatus for hardware forwarding of LAN frames over ATM networks, which is considered pertinent to the claim invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (703) 305-1332. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington VA, Sixth Floor (Receptionist).

Patent Examiner

Duc Ho

05-08-03

